

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): ELISCHWESKI et al.

Appl. No.: 09 680,310

Series Code ↑

Serial No. ↑

Filed: October 6, 2000

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Date: January 27, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	33	**minus 34 0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	4	***minus 4 0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) add			+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: March 31, 2003 <input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached			(1 mo) \$110/\$55 = (2 mos) \$410/\$205 = (3 mos) \$930/\$465 = (4 mos) \$1,450/\$725 = (5 mos) \$1,970/\$985 =	+ \$0	115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8.			Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add			+ \$180	+ \$0	126
or if Rule 97(d) Request add			+ \$180	+ \$0	126
11. After-Final Request Fee per rules 129(a) and 17(r)			+ \$750/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)			x \$750/375 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)			+ \$750/375	+ \$0	1179/1279
14. Petition fee for				+ \$0	
15.			TOTAL FEE =	\$0	

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 21123 268418

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Thomas A. Cawley, Jr., Ph.D.

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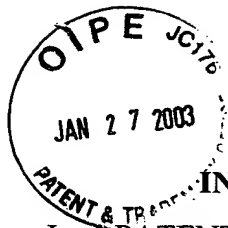
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(703) 905-2144

Atty/Sec: TAC/smm

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



#14/D
130
1-30-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re PATENT APPLICATION OF

ELISCHWESKI et al.

Group Art Unit: 1636

Appln. No.: 09/680,310

Examiner: G. LEFFERS

Filed: October 6, 2000

Title: PROCESS FOR THE PREPARATION OF PANTOTHENIC ACID BY
AMPLIFICATION OF NUCLEOTIDE SEQUENCES WHICH CODE FOR
KETOPANTOATE REDUCTASE

January 27, 2003

* * * * *

AMENDMENT PURSUANT TO 37 C.F.R. § 1.111

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

This is in response to the official action dated December 31, 2002, where claim 35 was rejected under 35 U.S.C. §112, first paragraph. The applicants respectfully traverse in view of the following amendment and comments.

I. AMENDMENT

IN THE CLAIMS

Please cancel claim 35, without prejudice.

II. REMARKS

The examiner rejected claim 35 under 35 U.S.C. §112, first paragraph as allegedly containing subject matter that was not described in the specification in the such a way as to reasonably convey to one skilled in the art that, at the time the application was filed, the applicants were in possession of the claimed invention. It is the examiner position that the limitation provided in 35 does not find support in the present specification.